

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TRI HUU HUYNH,  
Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION (CDCR), et al.,  
Defendants.

Case No. [18-cv-05670-RS](#) (PR)

**ORDER OF DISMISSAL**

Plaintiff has not filed an amended complaint by the deadline. Accordingly, this federal civil rights action is **DISMISSED** (without prejudice) for failing to comply with the Court's order and for failing to prosecute, *see* Federal Rule of Civil Procedure 41(b). Because this dismissal is without prejudice, plaintiff may move to reopen. Any such motion must (1) have the words MOTION TO REOPEN written on the first page, and (2) contain an amended complaint that complies in all respects with the instructions in the order dismissing the prior complaint with leave to amend. The Clerk shall enter judgment in favor of defendants, and close the file.

**IT IS SO ORDERED.**

**Dated:** July 23, 2024



RICHARD SEEBORG  
Chief United States District Judge